IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.9775 OF 2004

M/s Rocket Foods Limited, .. Petitioner

Vs

1. Bank of Maharashtra and ors. .. Respondents

Mr A.Y.Sakhare, senior counsel, with Ms Varsha Palav for the petitioner.

Mr Girish Kulkarni, for the respondents.

CORAM : D.B.BHOSALE,J.

DATE : 8th December, 2004.

PC:

1. Heard the learned counsel for the parties.

2. Mr Kulkarni, learned counsel for the respondents, at the outset, raised a preliminary objection, stating that an Appeal under section 30 of the Recovery of debts Due to Banks and Financial Institutions Act, 1993 is provided against the order impugned in this petition. Having confronted with this, Mr Sakhare, learned senior counsel for the petitioner,prayed for withdrawal of this petition with liberty to the petitioner to file an Appeal under section 30 before the Presiding Officer, Debts Recovery Tribunal. The writ petition is allowed to be withdrawn with liberty as prayed for.

(D.B.BHOSALE, J.)